

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEDIOSTREAM, INC.,

Case No. C 11-2525 RS

Plaintiff,

v.

**ORDER RE SCHEDULING OF
SUMMARY JUDGMENT MOTIONS**

MICROSOFT CORPORATION, et al.,

Defendants.

By prior order, a hearing on Sony's pending motion for summary judgment was scheduled for March 7, 2013, but was thereafter inadvertently omitted from the calendar. While plaintiff has suggested that motion be submitted on the papers, at this juncture oral argument appears warranted, and the hearing will be continued to March 14, 2013, at 1:30 p.m.

Defendants have requested an opportunity to file an additional invalidity summary judgment motion, and propose a briefing schedule beginning in early April and culminating in a hearing on May 9th, approximately six weeks prior to trial. While *seriatim* motions are generally disfavored, under the circumstances here there is no basis to preclude defendants other than Sony from bringing a motion to challenge the validity of the remaining claims on additional grounds. Accordingly, defendants may file their proposed motion no later than April 4, 2013. Opposition will be due on

1 April 18, 2013, with any reply to be filed no later than April 25, 2013. The hearing shall be noticed
2 for May 9, 2013, but the matter may be decided without oral argument, in the Court's discretion.

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4 IT IS SO ORDERED.

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6 Dated: 2/27/13

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RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE